

REMARKS

Claims 1-17, 23 and 26-27 are canceled. Claims 18-22, 24, 25 and 28-32 are pending. Claim 18 is amended with this paper

Priority –

In accordance with 35 U.S.C. §119(e) and 35 U.S.C. §120, the Applicants have submitted an amendment containing a specific reference to the prior filed applications in the section above entitled “In the Specification”.

Drawing Objection -

The drawing is objected to under 37 CFR 1.83(a). Applicant deleted the section of Claim that was not shown in the drawing. The objection to the drawing is thereby rendered moot.

Claim Rejections – 35 USC § 112

Claim 18 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has deleted the limitations of Claim 18 that were recited after the “such as” phrases.

Claim Rejections – 35 USC § 103

Claims 18, 19, 28 – 33 are rejected under 35 U.S.C 103(a) as being unpatentable over Gustafsson (WO 01/87647) in view of Okawa et al. (US Pat No 5,591,906).

Applicant has amended Claim 18 to clarify that a range is defined around the position of the torsion natural frequency f_p , in which a precise position of the torsion natural frequency f_P is determined with a frequency resolution that is at least twice a first frequency resolution of the rough position of the torsion natural frequency f_p .

Applicant respectfully submits the the combination of Gustafsson and Okawa does not describe such a method and therefore no longer forms a *prima facie* case of obviousness. In

the Office Action paragraph 13, line 14, the Examiner noted that Gustafsson disclosed step 1710 which is used to refine the frequency. Step 1710 operates by using sampled frequency data within a continuous loop system, which is from coarse frequency sampling to a *refined* frequency resolution. Emphasis added.

Applicant would like to point out that, at best understood, Gustafsson employs the same frequency resolution throughout the various steps. Gustafsson generates *refined*, i.e. improved, frequency data that is free from noise generated due to manufacturing tolerances in a toothed wheel that generates the original wheel speed data.

Gustafsson does not, however, appear to determine data to two different frequency resolutions. For this reason Applicant respectfully believes that the combination of Gustafsson and Okawa does not provide all the elements of independent Claim 18 and believes that Claim 18 is in a condition for allowance.

The remaining claims depend either directly or indirectly from Claim 18 and are believed to be in a condition for allowance for at least the same reason as Claim 18.

CONCLUSION

Accordingly, Applicant believes that the claims as amended overcome the raised objections and rejections and are in a condition for allowance.

Respectfully submitted,

/Edwin W. Bacon, Jr./

Edwin W. Bacon, Jr.
Registration No. 39,098
Continental Teves, Inc.
One Continental Drive
Auburn Hills, MI 48326
(248) 393-6405
Attorney for Applicants